

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: PROCESSED EGG PRODUCTS
ANTITRUST LITIGATION**

**MDL No. 2002
2:08-md-02002**

**THIS DOCUMENT RELATES TO:

ALL ACTIONS**

**MOTION OF DEFENDANT MICHAEL FOODS, INC. FOR SUMMARY JUDGMENT
DISMISSING ALL CLAIMS AGAINST MICHAEL FOODS IN ALL ACTIONS**

Defendant Michael Foods, Inc., by and through its counsel, hereby moves the Court for an Order, pursuant to Rule 56 of the Federal Rules of Civil Procedure, granting summary judgment and dismissing, with prejudice, all claims against Michael Foods under all of the Complaints in the respective actions. This motion encompasses all Direct Purchaser Plaintiff (DPP), Direct Action Plaintiff (DAP) and Indirect Purchaser Plaintiff (IPP) cases.

The motion is based on the Memorandum in Support of Defendant Michael Foods, Inc.'s Motion for Summary Judgment (and the exhibits listed therein), Michael Foods' Statement of Undisputed Facts (and the testimony, documents and other evidence cited therein), and the files, records and proceedings in this matter.

Because the allegations in the respective cases regarding Michael Foods' alleged participation in a conspiracy to violate the antitrust laws are substantively identical and the relevant evidence is the same for all of the actions, Michael Foods is supporting its motion for summary judgment in all of the actions with a single memorandum of law and statement of undisputed facts.

Pursuant to Local Rule 7.1(f), Michael Foods, Inc. requests that the Court schedule oral argument on this motion.

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